



**ROBINSON MCFADDEN**  
ATTORNEYS AND COUNSELORS AT LAW

ROBINSON, MCFADDEN & MOORE, P.C.

COLUMBIA, SOUTH CAROLINA

November 20, 2007

**VIA ELECTRONIC FILING**  
**& HAND DELIVERED ORIGINAL**

Mr. Charles Terreni  
Chief Clerk of the Commission  
Public Service Commission of South Carolina  
Synergy Business Park, Saluda Building  
101 Executive Center Drive  
Columbia, SC 29210

**Bonnie D. Shealy**  
1901 MAIN STREET, SUITE 1200  
POST OFFICE BOX 944  
COLUMBIA, SOUTH CAROLINA 29202

PH  
(803) 779-8900

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(803) 252-0724

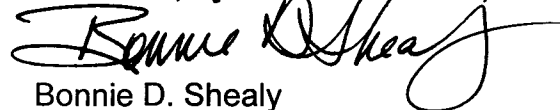
**Re: Duke Energy Carolinas/Energy Efficiency Plan**  
**Docket No. 2007-358-E**

Dear Mr. Terreni:

Enclosed for filing please find a Motion for Admission Pro Hac Vice and Verified Application of Lawrence Bowen Somers. An original and one copy are included for filing. Please date-stamp the extra copy as proof of filing and return it with our courier. By copy of this letter we are serving the same on the interested parties. If you have any questions, please have someone on your staff contact me.

Very truly yours,

ROBINSON, MCFADDEN & MOORE, P.C.



Bonnie D. Shealy

BDS/tch  
Enclosures  
cc/enc:

Catherine E. Heigel, Assistant General Counsel (via email and US Mail)  
Lawrence Bowen Somers, Esquire (via email and US Mail)  
Nanette Edwards, Chief Counsel (via email and US Mail)  
Scott Elliott, Esquire (via email and US Mail)  
Jeremy Hodges, Esquire (via email and US Mail)  
J. Blanding Holman, IV, Esquire (via email and US Mail)  
Gudrun Thompson, Esquire (via email and US Mail)  
Robert E. Tyson, Jr., Esquire (via email and US Mail)  
Alan R. Jenkins, Esquire (via email and US Mail)  
James H. Jeffries, IV Esquire (via email and US Mail)

***This document is an exact duplicate, with the exception of the form of the signature, of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.***

## STATE OF SOUTH CAROLINA

Application of

**Duke Energy Carolinas, LLC**  
**for Approval of Energy Efficiency Plan Including**  
**an Energy Efficiency Rider and Portfolio of Energy**  
**Efficiency Programs.**

**BEFORE THE**  
**PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**

**COVER SHEET**

**DOCKET**  
**NUMBER: 2007-358-E**

(Please type or print)

Submitted by: Bonnie D. ShealySC Bar Number: 11125

Address: Robinson, McFadden & Moore, P.C.  
PO Box 944  
Columbia, SC 29202

Telephone: (803) 779-8900Fax: (803) 252-0724

Other: \_\_\_\_\_

Email: bshealy@robinsonlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☒ Other: \_\_\_\_\_

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	



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November 20, 2007

**VIA HAND DELIVERY**

South Carolina Supreme Court  
Office of Bar Admissions  
1231 Gervais Street  
Columbia, South Carolina 29201

**Re: Duke Energy Carolinas/Energy Efficiency Plan  
SC PSC Docket No. 2007-358-E**

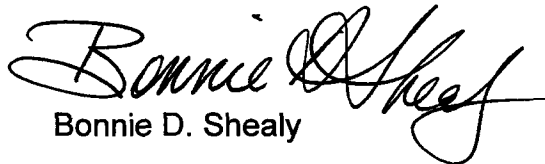
Dear Clerk:

Enclosed for filing please find a copy of the Application for Admission Pro Hac Vice and Certificate of Good Standing of Lawrence Bowen Somers in the above-referenced case. Also enclosed is the required filing fee of \$250.00. Please stamp the extra copy provided as proof of filing and return them with our courier.

Thank you for your assistance. Should you need additional information, please contact me.

Very truly yours,

ROBINSON, MCFADDEN & MOORE, P.C.



Bonnie D. Shealy

BDS/tch

Enclosures

cc/enc:

Mr. Charles Terreni, Chief Clerk, SC PSC (via email and US Mail)  
Catherine Heigel, Assistant General Counsel (via email and US Mail)  
Lawrence Bowen Somers, Esquire (via email and US Mail)  
Nanette Edwards, Chief Counsel (via email and US Mail)  
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Robert E. Tyson, Jr., Esquire (via email and US Mail)  
Alan R. Jenkins, Esquire (via email and US Mail)  
James H. Jeffries, IV Esquire (via email and US Mail)

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2007-358-E**

In Re:	)	
	)	
Application of Duke Energy Carolinas, LLC	)	
For Approval of Energy Efficiency Plan	)	<b>MOTION FOR ADMISSION</b>
Including an Energy Efficiency Rider and	)	<b><i>Pro Hac Vice</i></b>
Portfolio of Energy Efficiency Programs	)	
	)	

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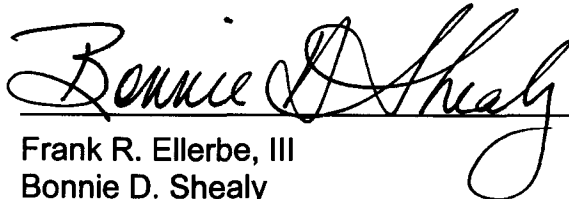
Duke Energy Carolinas, LLC, ("Duke Energy Carolinas") hereby moves the Public Service Commission of South Carolina ("Commission") to permit Lawrence Bowen Somers to practice *Pro Hac Vice* before the Commission in the above-captioned matter.

Pursuant to SCACR 404, Mr. Somers, together with counsel of record, are simultaneously filing a copy of the Verified Application for Admission *Pro Hac Vice* with the South Carolina Supreme Court. Attached is the original Verified Application.

WHEREFORE, as the provisions set forth in SCACR 404 have been satisfied, Duke Energy Carolinas requests this motion be granted.

Dated this 20<sup>th</sup> day of November, 2007.

ROBINSON, MCFADDEN & MOORE, P.C.



Frank R. Ellerbe, III  
Bonnie D. Shealy  
Post Office Box 944  
Columbia, SC 29202  
(803) 779-8900

Counsel for Duke Energy Carolinas, LLC

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*  
IN THE STATE OF SOUTH CAROLINA**

IN THE MATTER OF:

Docket No. 2007-358-E

Application of Duke Energy Carolinas, LLC  
For Approval of Energy Efficiency Plan  
Including an Energy Efficiency Rider and  
Portfolio of Energy Efficiency Programs

Public Service Commission of South Carolina

Mailing Address:

101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

Comes now, ***Lawrence Bowen Somers***, applicant herein, and respectfully represents the following:

1. Applicant resides at 207 Sardis Grove Lane  
Street Address  
Matthews, Mecklenburg, NC, 28105, 704.849.0668.  
City County State Zip Code Telephone
2. Applicant is an attorney and a member of the law firm (or practices law under the name of) ***Duke Energy Corporation*** with offices at ***526 South Church Street, Charlotte, North Carolina 28202; Telephone number: (704) 382-8142; Fax Number: (980) 373-9901.***
3. Applicant has been retained personally or as a member of the above named law firm by ***Duke Energy Carolinas, LLC*** to provide legal representation in connection with the above case now pending before the above named regulatory agency of the State of South Carolina.
4. Since August of 1995, applicant has been, and presently is, a member in good standing of the bar of the State of North Carolina where applicant regularly practices law. Attached is a certificate of good standing.
5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:

Date Admitted:

All North Carolina State Courts

August 18, 1995

U. S. District for the Middle District of North Carolina

September 29, 1995

U. S. District Court for the Western District of North Carolina

March 8, 2000

U. S. District Court for the Eastern District of Michigan

November 30, 1998

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

not applicable

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency in this State or any other state, except as provided below (give particulars, e.g., jurisdiction, court, date):

not applicable

7. Applicant never has had any application for admission pro hac vice in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

not applicable

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

not applicable

9. Local counsel of record associated with applicant in this case is ***Frank R. Ellerbe, III, and Bonnie D. Shealy***, of the ***Robinson, McFadden & Moore, P.C.*** law firm, which has offices at: ***1901 Main Street, Suite 1200, Columbia, SC 29201***; Telephone ***(803) 779-8900***.

If applicable list all other firms/attorneys you are associated with in this matter:

not applicable

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

SCDHEC v. Henkel Corporation, et al; C/A No. 6:00-2570-20; case status: dismissed-settled; application dated: September 27, 2000, Local counsel: R. Howard Grubbs of Womble Carlyle Sandridge & Rice, PLLC, pro hac vice application granted.

Robinson, et al. v. Colonial Pipeline Co., et al; C/A No. 8:00-0058-13; case status: dismissed-settled; application dated: February 16, 2000; Local counsel: Larry B. Estridge and Sarah E. Day of Womble, Carlyle, Sandridge & Rice, PLLC, pro hac vice application granted.

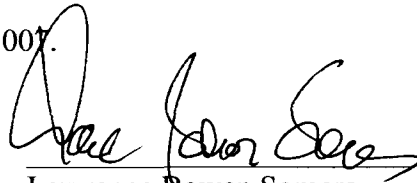
Cross Keys Against National Garbage Org. ( CKANGO) et al., v. SCDHEC, et al.; 00-ALJ-07-0373-CC; case status: concluded July 19, 2001; Local counsel: Womble, Carlyle, Sandridge & Rice, PLLC; pro hac vice application granted but Applicant does not recall specific date of approval or local counsel affiliated with Womble, Carlyle, Sandridge & Rice, PLLC.

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

13.

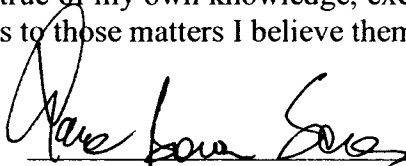
Dated this 16<sup>th</sup> day of November, 2007.

  
Lawrence Bowen Somers

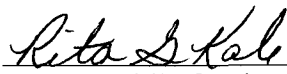
VERIFICATION

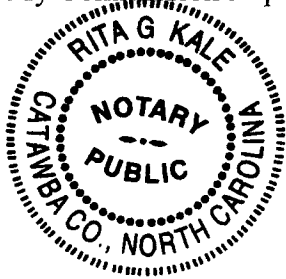
STATE OF NORTH CAROLINA       )  
  )  
COUNTY OF MECKLENBURG       )

I, Lawrence Bowen Somers, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

  
\_\_\_\_\_  
Lawrence Bowen Somers

SWORN to before me this  
16 day of November, 2007

 L.S.  
Notary Public for the State of North Carolina  
My Commission Expires: 6/17/2012





**LOCAL COUNSEL CONSENT:**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 20<sup>th</sup> day of November, 2007.

  
LOCAL COUNSEL OF RECORD

**CERTIFICATE OF SERVICE:**

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by causing same to be hand delivered to: South Carolina Supreme Court Office of Bar Admissions, 1231 Gervais Street, Columbia, SC 29201, accompanied by payment of the \$250.00 filing fee payable to the South Carolina Supreme Court on this 20<sup>th</sup> day of November, 2007.

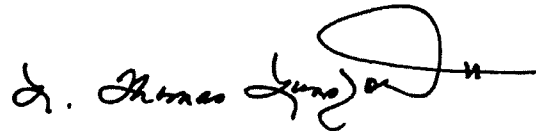
  
\_\_\_\_\_

# The North Carolina State Bar

I, L. Thomas Lunsford, II, Secretary of the North Carolina State Bar, do hereby certify that Lawrence B. Somers (22329) is an active member of the North Carolina State Bar in good standing as of this date, and was duly licensed to practice law in this state on August 18, 1995.

I further certify that as of this date the above named attorney has not been subject to any public disciplinary action by the North Carolina State Bar.

Given over my hand and the Seal of the North Carolina State Bar, this 14<sup>th</sup> day of November, 2007.



Secretary of the North Carolina State Bar



**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2007-358-E**

In Re:

)  
)  
Application of Duke Energy )  
Carolinas, LLC for Approval of )  
Energy Efficiency Plan Including an )  
Energy Efficiency Rider and )  
Portfolio of Energy Efficiency )  
Programs )

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**CERTIFICATE OF SERVICE**

This is to certify that I, Toni C. Hawkins, a paralegal with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the **Motion for Admission Pro Hac Vice and Verified Application of Lawrence Bowen Somers** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

Jeremy C. Hodges, Esquire  
Nelson Mullins Riley & Scarborough, LLP  
P.O. Box 11070  
Columbia, SC 29211

Scott A. Elliott, Esquire  
Elliott & Elliott, PA  
721 Olive Avenue  
Columbia, SC 29205

J. Blanding Holman, IV, Esquire  
Southern Environmental Law Center  
200 W. Franklin Street, Suite 330  
Chapel Hill, NC 27516

Robert E. Tyson, Jr., Esquire  
Sowell Gray Stepp & Laffitte, LLC  
Post Office Box 11449  
Columbia, SC 29211

Nanette S. Edwards, Esquire  
Office of Regulatory Staff  
Post Office Box 11263  
Columbia, SC 29211

Dated at Columbia, South Carolina this 20th day of November, 2007.

  
\_\_\_\_\_  
Toni C. Hawkins